

June 6, 2011

TO: Teresa Parsons, SPHR
Director's Review Program Supervisor

FROM: Kris Brophy, SPHR
Director's Review Investigator

SUBJECT: Brenda Hall v. Department of Social and Health Services (DSHS)
Allocation Review Request ALLO-10-039

Director's Determination

This position review was based on the work performed for the six-month period prior to March 12, 2010, the date DSHS received Ms. Hall's request for a position review. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the verbal comments provided by both parties during the review telephone conference. Based on my review and analysis of Ms. Hall's assigned duties and responsibilities, I conclude her position is properly allocated to the Financial Services Specialist 5 classification.

Background

On March 12, 2010, DSHS received a Position Review Request form from Ms. Hall, asking that her position be reallocated to the Program Specialist 5 (Exhibit B-3). Ms. Hall signed the form on March 12, 2010. Ms. Hall's supervisor at that time was Ms. Nancy Wolke, District 4 Customer Service Center (CSC) Administrator.

Ms. Hall began reporting to Mr. Ronald Thomas, District 5 CSC Administrator on March 16, 2010. Mr. Thomas completed and signed the supervisor's portion of the form on May 25, 2010.

An updated Position Description Form (PDF) was written and signed by Mr. Thomas and the appointing authority on June 8, 2010 and June 14, 2010, respectively (Exhibit B-4). Ms. Hall refused to sign the updated PDF on June 14, 2010 on the basis that it was an inaccurate description of the duties and responsibilities assigned to her position.

On July 14, 2010 DSHS notified Ms. Hall that her position was properly allocated as a Financial Services Specialist 5 (Exhibit B-2).

On August 10, 2010, the Department of Personnel received Ms. Hall's request for a Director's review of DSHS's allocation determination (Exhibit A-1).

On March 18, 2011, I conducted a Director's telephone review conference. Present during the conference were Brenda Hall; Amy Achilles, Labor Advocate, WFSE; Stacie Leanos, Council Representative, WFSE; and Robert Swanson, Classification Analyst, DSHS.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Duties and Responsibilities

Hall manages the day to day operations and supervises staff for the District 4, Seattle Hub Imaging Unit (HIU). The primary function of the unit is to make electronic copies of all documents for clients within the catchment area for the regional office, and to make eligibility determinations and/or redeterminations of benefit eligibility. Ms. Hall oversees the receipt, imaging, and indexing of all customer mail. Ms. Hall provides technical, operational and procedural instruction to local CSC/CSO offices to ensure electronic imaging complies with established state and federal policies and procedures.

Ms. Hall describes her assigned duties and responsibilities in the PRR as follows:

- 25% Manage and direct all operational elements of the Regional Hub Imaging Unit. Oversee the receipt, imaging, and indexing of all customer mail for the region. Responsible for both day-to-day functions and short and long term strategic planning.
- 25% Ensure workload assignments from the Document Management System are electronically sent to the CSO's on a daily basis. Ensure all completed customer paperwork is electronically sent to the customer's electronic file. Oversee and provide supervision to imager/indexer positions, professional subordinates, Financial Service Specialist staff, and DMS/Financial lead positions.
- 14.7% Manage and direct assigned financial staff by assigning them specific case actions to complete.
- 12.5% Ensure that Quality Assurance goals and daily productivity standards are met for the OA3's and the financial services staff.
- 12.5% Establish and evaluate job performance. Take corrective action when necessary on the OA3 and financial staff.
- 6% Setup daily work schedule. Assign and/or provide training. Make decisions on leave requests.

2.4% Attend State HIU Managers meetings. Deal with assignments and/or projects that arise out of those meetings. Responsible to respond and resolve issues from those meetings and/or daily functions of managing the HIU.

1.9% Responsible to handle and resolve all FMLA and Reasonable Accommodation issues.

Ms. Hall's supervisor, Ronald Thomas, is the District 5 CSC Administrator. Mr. Thomas disagrees with Ms. Hall's description of work provided in the PRR. It should be noted that his comments are based on the reporting relationship assigned to Ms. Hall's position after March 16, 2010. However, the majority of duties described on Ms. Hall's 2007 PDF as well as the PRR align with the overall scope and level of responsibility described by Mr. Thomas.

Mr. Thomas asserts the overall level of responsibility assigned to Ms. Hall's position is more limited in scope than those described in the PRR. In the Supervisor Review section, Mr. Thomas disagrees with Ms. Hall's assertion that she should be allocated to the Program Specialist 5 (PS 5) class. He states Ms. Hall's duties focus on having responsibility for the day to day functions of the Seattle HIU. He emphasizes the CSC Administrator retains responsibility for managing District 4 and 5 operations which includes overall responsibility for the receipt, imaging and indexing of all customer mail for Regions 4 and 5 and statewide business reply mail.

Mr. Thomas states Ms. Hall is not responsible for the short or long term strategic planning of the HIU, or managing FMLA or Reasonable Accommodation issues. He states these are the responsibilities for the CSC Administrator. He states Ms. Hall is responsible for reporting FMLA and reasonable accommodation issues which is followed up by the CSC Administrator.

Summary of Ms. Hall's Perspective

Ms. Hall asserts the Program Specialist 5 class better encompasses her level of responsibility for serving as the District 4 HIU Manager. She asserts she has responsibility for overseeing the receipt, imaging, and indexing of all customer mail for a region. She asserts her position is responsible for managing and directing all operational elements of the regional HUB Imaging Units CSO's. She asserts she controls and coordinates the workload assignments of professional staff region-wide. She is responsible for the performance of the HIU staff and to ensure performance measures are met. She asserts her responsibilities have organization-wide impact through her responsibility for serving on a State-wide Policy team which develops and revises organizational policies and procedures which impact the entire program organization.

She asserts her position has an administrative-level scope of authority and represents the HIU at the management/administration level.

Summary of DSHS Reasoning

DSHS asserts Ms. Hall's position does not meet the definition for the PS5 classification because she does not have organization-wide program management level responsibilities for developing, establishing, and monitoring policies and procedures for other HIUs. DSHS contends she does not coordinate the workload of professional staff region-wide and she does not have responsibility for setting statewide policy for all ESA HIU operations. DSHS

asserts her current duties have not substantially changed from the 2007 PDF description of duties and that the majority of her duties are best described by the Financial Services Specialist 5 class. For these reasons DSHS asserts her position is properly allocated.

Comparison of Duties to Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations. While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification.

Comparison of Duties to Program Specialist 5

The Class Series Concept for the Program Specialist series states:

Positions in this series coordinate discrete, specialized programs consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Positions coordinate program services and resources; act as a program liaison and provide consultation to program participants and outside entities regarding functions of the program; interpret, review and apply program specific policies, procedures and regulations; assess program needs; and develop courses of action to carry out program activities. Program coordination also requires performance of tasks and application of knowledge unique to the program and not transferable or applicable to other areas of the organization.

Examples of program areas may include, but are not limited to: business enterprises, fund raising, volunteer services, community resources, election administration and certification, juvenile delinquency prevention, recreational education and safety, energy education, aeronautic operations and safety, student housing, financial aid, and registration.

The Definition for the Program Specialist 5 class states:

Positions at this level work under administrative direction, have organization-wide program management responsibilities, are recognized as the program expert and typically supervise lower-level professional program staff. For programs with statewide impact, incumbents are experts who manage two or more components of the program. Program components are comprised of specialized tasks (e.g., reservations, administration, and budget coordination) within a specialty program. Incumbents administer, oversee, and direct all program activities and advise public entities and higher level administrative staff on aspects of the program or make decisions of major significance that may affect the organization as a whole. Incumbents manage program activities affecting an essential service within the organization or activities with statewide impact. Incumbents perform a wide scope of complex duties and responsibilities in the management of a program, exercise independent judgment, have delegated decision-making authority and typically have delegated budgetary authority. Programs include but are not limited to boating, recreational safety and motorized usage programs; statewide energy programs; and delinquency prevention programs.

The DOP Glossary of Classification Terms defines, "Administrative direction" as follows:

- Employee works independently within the scope and context of rules, regulations, and employer objectives.
- Employee independently plans, designs and carries out programs, projects and studies in accordance with broad policy statements or legal requirements.
- Employee exercises independent decision-making authority for determining work objectives and goals to be accomplished.
- Completed work is reviewed for compliance with laws and regulations and adherence to program goals, objectives, budgetary limitations, and general employer policies.

<http://www.dop.wa.gov/CompClass/CompAndClassServices/Pages/HRProfessionalTools.aspx>

Ms. Hall's overall scope and level of responsibility does not meet the definition for the PS5 classification of having organization-wide program management responsibility. Ms. Hall supervises activities for District 4 Seattle HIU. She does not have programmatic responsibility for developing, establishing, and monitoring policies and procedures for other HIU's or statewide HIU operations. While she participates on a statewide HIU Manager's team, she does not have responsibility for directing committee activities or implementing outcomes. While participative in nature, her position does not set statewide policy for HIU operations.

Additionally, allocation to the "Program" series requires an assignment of work that is unique and specific to a particular program and not work that is specifically described by another existing class specification. If there is a class that encompasses the body of work, allocation to the specific class must take primary consideration. Allocation to a "Program" class should only occur when there are no other viable options for allocation.

This is supported by Personnel Resources Board (PRB) decisions in which the Board has concluded that while one class appeared to cover the scope of a position, there was another classification that not only encompassed the scope of the position, but specifically encompassed the unique functions performed. In Alvarez v. Olympic College, PRB No. R-ALLO-08-013 (2008), the Board held that "[w]hen there is a definition that specifically includes a particular assignment and there is a general classification that has a definition which could also apply to the position, the position will be allocated to the class that specifically includes the position. [See Mikitik v Depts. of Wildlife and Personnel, PAB No. A88-021 (1989)."

The Financial Services Specialist series specifically address the body of work under review. Since these classes specifically describe the scope of work and specific duties performed by Ms. Hall, allocating her position to a class within the Program series is not appropriate. In addition, her position does not meet the requirements of the Program Specialist 5 classification. For these reasons Ms. Hall's position should not be allocated to the Program Specialist 5 class.

Comparison of Duties to Financial Services Specialist 5

The Definition for this class states:

Supervises a unit of Financial Service Specialist staff in the Reception Financial Intake System, the Financial Maintenance System, and/or the Verification and Overpayment Control System.

The scope of Ms. Hall's duties and responsibilities closely meet the Definition of this class. Ms. Hall supervises District 4 Seattle HIU Financial Services Specialists and other staff engaged in financial management and verification activities including gathering information regarding client's eligibility to receive financial, medical, and food assistance; correctness of payments, and to determine possible fraud.

Although the Typical Work examples do not form the basis for an allocation, they lend support to the work envisioned within a classification. The following provides an example of the level of work assigned to the Financial Services Specialist 5 class specification:

Supervises a staff of Financial Service Specialists in gathering information regarding public assistance clients' eligibility for financial assistance or supervises a VOCS unit in investigating validity of complaints received by local office regarding clients' unreported income, resources, living situations, etc., including possible fraud on the part of financial assistance recipients;

Supervises Financial Service Specialists with assistance of lead worker through individual and group conferences by reading and analyzing records and reports and evaluating performance; recommends placements and reassignments;

Establishes unit workloads and quality standards; reviews completed complaints and eligibility determinations to ensure that appropriate data gathering and verification techniques were utilized and that findings were adequately documented;

Controls overall flow of work processed by the unit; reviews activity reports to ensure that planned unit volume levels are being maintained and that work is being processed within established time limits;

Analyzes adequacy of agency policy and practices; participates in formulation of local policies and procedures for development of financial assistance programs administered by the agency; explains policies and rules to unit staff;

Teaches employees to elicit and evaluate needs of recipients and refer them to other sources available; allocates workloads and measures performance in relation to workload standards;

Plans and directs induction and training of new staff members; plans and coordinates in-service training for staff; encourages continuing interest in increased job effectiveness;

Consults with agency management regarding unit requirements; makes recommendations regarding budget requirements for the unit such as staffing, equipment, space, etc.;

Submits period reports to agency management regarding unit operations; makes recommendations regarding revised systems and procedures to accommodate program changes and improvements.

Schedules and coordinates manual and electronic forms and/or records management services including files consulting, records retention scheduling, essential records scheduling, and similar services, in one or a group of organizational units and negotiates service agreements with department personnel;

Ms. Hall's duties are consistent with these statements. Ms. Hall supervises Financial Service Specialists in gathering information regarding public assistance clients' eligibility for financial assistance. She performs other supervisory duties such as establishing unit workloads and quality standards and evaluating performance. She establishes and controls the overall work flow of the unit. She reviews reports to ensure work is processed appropriately within established time limits. She ensures compliance with agency policies and practices. She participates on a statewide team to assist in formulating local policies, procedures and other practices. She explains policies and rules to unit staff.

Ms. Hall's overall level of responsibility for supervising operations and staff for the District 4 Seattle HIU fits closely within the Financial Services Specialist 5 classification.

When determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

In this case, the focus of her position, the majority of the duties assigned to Ms. Hall's position, and her overall level of responsibility and delegated supervisory authority are best described by the Financial Services Specialist 5 classification. Ms. Hall's position should remain allocated to that class.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located at 600 South Franklin, Olympia, Washington. The main telephone number is (360) 664-0388, and the fax number is (360) 753-0139.

If no further action is taken, the Director's determination becomes final.

c: Brenda Hall, DSHS
Amy Achilles, WFSE
Bob Swanson, DSHS
Lisa Skriletz, DOP

Enclosure: List of Exhibits

Brenda Hall Exhibits

1. Letter of request for a Director's Review from Brenda Hall received August 10, 2010 with the following attachments:
 - A. Position Description Form signed January 22, 2010 by Brenda Hall only.
 - B. Email dated November 23, 2009 from Nancy Wolke to Brenda Hall asking staff to update their own PDFs.
 - C. Email from Mary O'Brian to Brenda Hall dated January 27, 2010 acknowledging receipt of PDF to HR.
 - D. March 2010 email chain identifying Brenda Hall as HIU manager.
 - E. February 2010 email chain listing Brenda Hall as HIU manager.
 - F. Email from Shawn Hartline to HIU Managers Distribution List dated February 16, 2010 with Brenda Hall listed as a recipient.
 - G. Community Services Division – Statewide Customer Service Center Phone list listing Brenda Hall as District 4 (Seattle) HIU Manager.
 - H. March and April emails from Brenda Hall to Nancy Wolke and Ron Thomas regarding completion of PDF and PRR forms.
 - I. Region 5 / District 5 Work Plan for April 2010 through June 2010. (10 pages)
 - J. Email from Brenda Hall to Jennifer Vein dated April 22, 2010 regarding a scanned document.
 - K. Email from Brenda Hall to Ronald Thomas dated June 21, 2010 requesting a status update of her position review.
 - L. Email from Tea'Launna Brown to DSHS Distribution list with copy of the District 5 DJA HIU Manager position Job Announcement. (3 pages)
 - M. March 2010 Performance and Development plan for Brenda Hall.
2. 2009 OFM Personnel Detail report. (6 pages)

A. Department of Social and Health Services Exhibits

1. Letter requesting a Director's Review from Brenda Hall, received August 10, 2010.
2. Allocation Determination letter from Robert Swanson to Brenda Hall July 14, 2010.
3. Position Review Request form for Brenda Hall dated March 12, 2010, with attached supervisor comments dated May 25, 2010.
4. Updated Position Description Form completed by Ronald Thomas June 8, 2010, with employee's refusal to sign June 14, 2010- PDF includes an Organization Chart.
5. Previous Position Description form for Brenda Hall's position dated May 25, 2007 with organization chart.
6. DOP Class Specification for Financial Services Specialist 5 (165K).
7. DOP Class Specification for Program Specialist 2 - Class Series Concept.
8. DOP Class Specification for Program Specialist 4 (107K).
9. DOP Class Specification for Program Specialist 5 (107L).